

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

N.B., a minor, by and through her Parents
and Next Friends, SUZANNE ATWELL-
KEISTER and BRET BAILEY,

v.

KATHLEEN STONE, C.N.M., *et al.*,

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Civil No. CCB-18-258

MEMORANDUM

The plaintiff in this medical malpractice case, a minor and resident of Colorado, filed suit through her parents in Baltimore City Circuit Court on January 24, 2018. Named as defendants were four Maryland defendants and one resident of New York, who formerly worked in Maryland. The complaint was docketed on January 26, 2018, and on that same day the New York defendant removed the case to this court, before summonses were ever issued.

For the reasons stated in several opinions of this court, the plaintiff's motion for remand will be granted. *See Medish v. Johns Hopkins Health System Corp.*, 272 F.Supp. 3d 719 (D. Md. 2017); *Caillouet v. Annapolis Yacht Company LLC*, 2016 WL 8737484 (D.Md. August 5, 2016); *Reimold v. Gokaslan*, 110 F.Supp. 3d 641 (D.Md. 2015); *Oxendine v. Merck & Co.*, 236 F.Supp. 2d 517 (D.Md. 2002).¹ While I do not fault defendant's counsel, who rely on other authority within this and other districts, I believe the better reasoning does not support allowing removal by the single non-forum defendant before the other four properly joined forum defendants can be served.

A separate Order follows.

Date: 5/11/18

/S/

Catherine C. Blake
United States District Judge

¹ To the extent other opinions of this court are in conflict, I respectfully disagree. *See, e.g., Al-Ameri v. Johns Hopkins Hosp.*, Civil No. GLR-15-1163 (D.Md. June 24, 2015)